

TOWN OF SHELBURNE
Planning Board
Minutes of Meeting January 27, 2016

A duly posted meeting of the Shelburne Planning Board was held on Wednesday, January 27, 2016 at 7 pm in the Shelburne Town Hall Meeting Room, 51 Bridge St., Shelburne Falls, MA.

Present: John Wheeler, Chair
Will Flanders,
Cam Stevenson,
George Dole
Josiah Simpson

Administrative Assistant: Liz Kidder

Absent:

Audience:

Press:

The meeting was called to order at 7: 05 pm.

A motion to approve the minutes of January 13, 2016 as corrected was made by Will and seconded by Josiah.

Vote: 4 in favor, 0 opposed, 1 abstention by John as Chair of the meeting.

Correction: on page 1 "office" should be "offense" and on page 2 the date of the All Board meeting was Jan. 19th not 29th. Also, in the discussion on the road preservation bylaw, John noted that in considering the bylaw he felt it may apply to local loggers as well as cement trucks.

ANR Plans - none presented

Special Permit – Liz noted she had sent an email, with copies to the ZBA, to Laurie Von regarding the special permit application for a property at 241 Main St. She notified her that a full special permit application was needed for review by the Board not just the application cover sheet. Joe Palmeri responded by also sending Laurie Von an email confirming the necessity for the other Town Boards to get the same application materials that are submitted to the ZBA.

DRAFT SUBDIVISION REGULATIONS –

The Board discussed whether to hold the Public Hearing at Town Hall or at the elementary school. It was noted that the audience at all of the meetings and hearings held at the elementary school in the last three years, could have fit into the Town Hall meeting room. It was decided to hold the public hearing at Memorial Hall.

The Board reviewed an email from Town Counsel who advised including the regulation's forms as part of the public hearing for the proposed subdivision so that they are a legal part of the regulation. Will noted he had reviewed the draft forms and saw some changes that need to be made on the forms to incorporate OSD.

The Board continued their review the draft regulations starting at 3.3 storm drainage. The Board felt it would be important to ask the Town Highway Superintendant to review the regulations. The Board: added a new 3.3P –" The Planning Board will be open to appropriate waivers to the specific requirements of this section as long as the Planning Board as advised by the Town's consulting engineer, is convinced the proposal meets the standard in 3.3.A"; use 15 inches In Section 3.3.H and deleted 3.3.G; added to end of SECTION IV REQUIRED IMPROVEMENTS –" The Planning Board will be open to appropriate waivers to the specific requirements of this section based upon recommendations by the Town's consulting engineer" ; and changed "performance guarantee" to

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“restrictive covenant” throughout the bylaw. Will was going to send Liz language to use relative to incorporating OSD into the form section of the regulations. The consensus of the board was to adopt the draft forms and appendixes, with the minor modifications by Will, and keep reviewing them to consider any possible revisions in the future.

NEW BUSINESS -

Annual Town Report due Feb. 18th -- the Board asked Liz to update last year’s report and submit it to the Selectboard.

OLD BUSINESS

Draft Open Space Development Zoning Bylaw - Liz presented a draft legal notice for the Feb. 24th public hearing for review by the Board. The Board reviewed several of the comments received to date and added “an optional alternative” to the 19.1.1.1 definition of Open Space Development”. John Wheeler presented graphics he is preparing that is based upon Jeff Lacy’s presentation. The Board thought it would be very helpful for John to do his presentation at the beginning of the public hearing.

Zoning Revisions for ATM 2016 – Liz presented the proposed changes to Section 4.2 and 4.3 of the bylaws as they relate to OSD. Discussion regarding these revisions are to be included in the Feb. 24th Public Hearing.

Model Noise, Earth Removal, and Related Disturbances for Large Scale Industrial and Commercial Facilities Town Bylaw - Model Local Road Protection Town Bylaw – - Liz reported her understanding that it is not clear whether the Selectboard will be presenting these two town bylaws at Annual Town Meeting since there is so much else on the warrant and passage of them would not affect impacts that could be caused by the KM pipeline proposal.

Tennessee Gas Pipeline Update – the Board reviewed the most recent FRCOG email regarding the regional pipeline committee.

Local Technical Assistance Grant– the Board’s LTA request to update the housing chapter of the Town’s Master Plan was submitted by the Selectboard to the FRCOG.

Planning Board Budget for FY 2017 – the FY 2017 budget was submitted as discussed at the last Board meeting.

COMMITTEE UPDATES

FRCOG – Cam said he will go to the meeting tomorrow where new information on flooding will be discussed

Open Space – John went to their last meeting. He said the committee is pleased with the open space bylaw and they will be supporting it at Town Meeting.

Community Energies Pilot Program – John is attending a meeting at 9am tomorrow morning. John reported that Andy Baker wants to consolidate the CEPP education programs with the solarize Shelburne program.

Other Town Boards - all board meeting on January 19th – Liz suggested a follow up email from the Planning Board regarding comments by Mike Parry at the end of the meeting regarding housing and Air B&B issues. She suggested the Planning Board notify the other boards that an assistance grant had been applied for to get help from the FRCOG to update the Housing Chapter of the Town’s 1999 Master Plan. Liz was asked to prepare a follow-up email and distribute it to the mailing list for the All Board meeting.

OTHER BUSINESS NOT REASONABLY FORESEEN 48 HOURS PRIOR TO THE MEETING - None presented.

READ MAIL – the Board read mail as listed below.

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PUBLIC COMMENTS – none presented

SCHEDULE NEXT MEETING – Wednesday, February 10, 2016 at 7 pm.

A motion to adjourn the meeting was made by Will and seconded by Cam.

Vote: 4 in favor, 0 opposed, 1 abstention by John as Chair of the meeting

Meeting was adjourned at 10:30 p.m.

Respectfully submitted by,

Liz Kidder
Administrative Assistant

List of Documents:

Notices of public hearings in neighboring communities:

Colrain – 1, Buckland – 1, Greenfield -- 2

Notice of Shelburne, Buckland, Colrain joint public hearings on 2016 CDBG application

Notice of Shelburne ZBA Public Hearing re: 4 Deerfield Avenue Realty Trust

Memo from Jim Hawkins, Building Inspector

Jan. 21 email from Selectboard on Annual Town Report Submittals

Jan 14 email from Joe Palmerie to Laurie Von and Mike Skalski regarding special permit application procedures

Jan. 14 email from Peggy Sloan on the Regional Pipeline Advisory Committee Meeting 1-21-16

Jan. 14th email from Terry Narkewicz regarding thermostat settings

Jan. 25 email from BOH on the All Board meeting and Air B&Bs

Jan. 22 email from Donna MacNicol regarding subdivision regulations forms

Open Space Comments on Noise, Earth Removal Bylaw Draft

January 26 email and letter on Open Space Development Bylaw from Noah Grunberg

January 26 email and comments by Open Space Committee on Open Space Development Bylaw